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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,275	01/21/2004	Kia Silverbrook	RRA26US	1029

24011 7590 10/19/2006

SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, NSW 2041  
AUSTRALIA

EXAMINER

UHLENHAKE, JASON S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/760,275	<b>Applicant(s)</b> SILVERBROOK, KIA	
	<b>Examiner</b> Jason Uhlenhake	<b>Art Unit</b> 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Objections*

The amendment filed 7/13/2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: in Paragraph beginning at Page 24, Lines 28-30 through to Page 25, Lines 1-7; In response to the signal from the ink cartridge QA chip that the ink is nearly depleted, controller board 82 activates indicator LED 138 to inform the user that another refill is necessary.

Applicant is required to cancel the new matter in the reply to this Office Action.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4 are rejected under 35 U.S.C. 103(a) as being obvious over Tanaka (U.S. Pat. 6,142,602) in view of Reed et al (U.S. Pat. 6,585,348)

#### ***Tanaka discloses:***

- ***regarding claim 4***, a removable cartridge having a printhead auxiliary member (cap/cover) for performing a number of different functions (protection, prevent

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drying of the ink) in respect of the printhead (Abstract; Column 1, Line 57 – Column 2, Line 12)

- transmission assembly arranged to selectively engage and drive the printhead auxiliary member (Figure 8; Column 6, Lines 31-44)
- **regarding claim 2**, wherein the transmission assembly includes a drive shaft (24) and is arranged to engage and disengage with the printhead auxiliary member upon rotation of the drive shaft in first and second directions respectively (Figure 8; Column 6, Lines 31-44)

***Tanaka does not disclose expressly:***

- **regarding claim 4**, printer cradle for supporting the cartridge within the printer such that the printhead is adjacent a media feed path; a printer cradle complementary to an inkjet cartridge of a type including a pagewidth printhead

***Reed et al discloses:***

- **regarding claim 4**, printer cradle (129 of Figure 1) for supporting the cartridge within the printer such that the printhead is adjacent a media feed path (Figure 1) ; a printer cradle complementary to an inkjet cartridge of a type including a pagewidth printhead (Column 1, Line 59 – Column 2, Line 9), for the purpose of having a printhead to print across the entire width of a recording medium

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to utilize an inkjet cartridge having a pagewidth printhead as taught by Reed et al into the device of Tanaka, for the purpose of having a printhead to print across the entire width of a recording medium.

Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Pat. 6,142,602) as modified by Reed et al (U.S. Pat. 6,585,348) as applied to claim 4 above, and further in view of Schalk et al (U.S. Pat. 6,749,298)

***Tanaka as modified by Reed et al discloses all the claimed limitations above except for the following:***

- ***regarding claim 3***, a flipper gear assembly comprising: a first gear fixed to the drive shaft; a second gear radially displaced from the first gear; a locating member retaining the second gear and the first gear in a meshed configuration

***Schalk et al discloses:***

- ***regarding claim 3***, a flipper gear assembly comprising: a first gear (104) fixed to the drive shaft; a second gear (106) radially displaced from the first gear (104); a locating member (1021, 1022) retaining the second gear (106) and the first gear (104) in a meshed configuration (Figure 4; Column 5, Lines 56 – 61), for the purpose of reducing size, complexity, and cost of ink jet printing systems.

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to incorporate the teaching Schalk et al into the device of Tanaka as modified by Reed et al, for the purpose of reducing size, complexity, and cost of ink jet printing systems.

***Response to Arguments***

Applicant's arguments with respect to claims 2-4 have been considered but are moot in view of the new ground(s) of rejection. Please see the above rejections regarding Tanaka (U.S. Pat. 6,142,602) in view of Reed et al (U.S. Pat. 6,585,348)

**Conclusion**



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Uhlenhake whose telephone number is (571) 272-5916. The examiner can normally be reached on Monday - Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JSU

October 5, 2006



**STEPHEN MEIER**  
**SUPERVISORY PATENT EXAMINER**